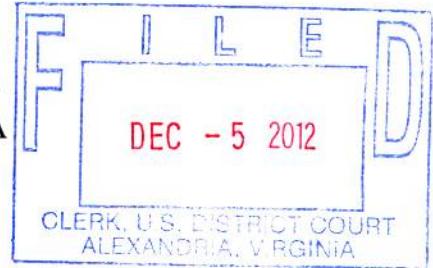


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION



TRINITY INDUSTRIES, INC., et al.,)
Plaintiffs)
v.) Civil Action No. 1:11-CV-937-CMH/TRJ
SPIG INDUSTRY, LLC, et al.,)
Defendants.)

STIPULATION OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the Plaintiffs/Counterclaim Defendants and Defendants/Counterclaim Plaintiffs hereby stipulate and agree that the above action, including (a) all claims, counterclaims and affirmative defenses actually asserted by the Parties in this action, (b) Counts II and III of the Amended Complaint previously dismissed *without prejudice*, and (c) Counts I, II-A, II-B, III-A and III-B, and the Count VIII of the Second Amended Counterclaim previously dismissed *without prejudice*, are dismissed *WITH PREJUDICE*, subject to the terms of the Settlement Agreement and Mutual release dated November 26, 2012, with each party to bear its own costs, expenses and attorneys' fees.

S. Adcock

/s/

Claude M. Hilton
United States District Judge

Dec. 5, 2012

SO AGREED AND STIPULATED:

Dated: November 28, 2012

By: /s/ *Walter D. Kelley, Jr.*

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Dated: November 28, 2012

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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of November, I will electronically file the foregoing *Stipulation of Dismissal* with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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Dated: November 28, 2012

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